

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 278 be amended to read as follows:

1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:

3 "SECTION 1. IC 6-1.1-3-8 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 8. (a) The owner of a
5 vending machine shall place on the face of the machine an ~~identification~~
6 **identification** device which accurately reveals the owner's name and
7 address, and he shall include the machine in his annual personal
8 property return.

9 (b) For purposes of this section, ~~the term~~ "vending machine" means
10 a ~~machine which dispenses goods, wares, or merchandise when a coin~~
11 ~~is deposited in it and which by automatic action can physically deliver~~
12 ~~goods, wares, or merchandise to the depositor of the coin; mechanical~~
13 ~~or an electronic device or a receptacle designed to:~~

- 14 (1) receive a coin or currency; and
15 (2) dispense tangible personal property in return for the
16 insertion or deposit of the coin or currency."

17 Page 1, after line 11, begin a new paragraph and insert:

18 "(c) A retail merchant that, as all or a part of the retail
19 merchant's trade or business, engages in retailing merchandise
20 through a vending machine shall report to the department the
21 part of the retail merchant's gross retail income attributable to
22 sales under NAICS code 454210 for vending machine operators as
23 if the vending machine operator industry were the retail

- 1 **merchant's primary industry."**
- 2 Renumber all SECTIONS consecutively.
(Reference is to ESB 278 as printed February 13, 2004.)

Representative Hasler